

Occupational Safety and Health Admin., Labor

§ 1956.1

as a final decision and served upon the parties.

§ 1955.46 Finality for purposes of judicial review.

Only a final decision by the Secretary under §1955.44 shall be deemed final agency action for purposes of judicial review. A decision of an administrative law judge which becomes final for lack of appeal is not deemed final agency action for purposes of 5 U.S.C. 704.

§ 1955.47 Judicial review.

The State may obtain judicial review of a decision by the Secretary in accordance with section 18(g) of the Act.

PART 1956—STATE PLANS FOR THE DEVELOPMENT AND ENFORCEMENT OF STATE STANDARDS APPLICABLE TO STATE AND LOCAL GOVERNMENT EMPLOYEES IN STATES WITHOUT APPROVED PRIVATE EMPLOYEE PLANS

Subpart A—General

Sec.

1956.1 Purpose and scope.

1956.2 General policies.

Subpart B—Criteria

1956.10 Specific criteria.

1956.11 Indices of effectiveness.

Subpart C—Approval, Change, Evaluation and Withdrawal of Approval Procedures

1956.20 Procedures for submission, approval and rejection.

1956.21 Procedures for submitting changes.

1956.22 Procedures for evaluation and monitoring.

1956.23 Procedures for certification of completion of development and determination on application of criteria.

1956.24 Procedures for withdrawal of approval.

Subpart D—General Provisions and Conditions [Reserved]

Subpart E—Connecticut

1956.40 Description of the plan.

1956.41 Where the plan may be inspected.

1956.43 Developmental schedule.

1956.44 Completion of developmental steps and certification.

Subpart F—New York

1956.50 Description of the plan as initially approved.

1956.51 Developmental schedule.

1956.52 Completed developmental steps.

1956.53 Determination of operational effectiveness. [Reserved]

1956.54 Location of plan for inspection and copying.

1956.55 Changes to approved plans.

Subpart G—New Jersey

1956.60 Description of the plan as initially approved.

1956.61 Developmental schedule.

1956.62 Completion of developmental steps and certification. [Reserved]

1956.63 Determination of operational effectiveness. [Reserved]

1956.64 Location of plan for inspection and copying.

AUTHORITY: Secs. 8, 18, Occupational Safety and Health Act of 1970 (29 U.S.C. 657, 667); Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), or 9-83 (48 FR 35736), as applicable, unless otherwise noted.

SOURCE: 41 FR 12429, Mar. 4, 1977, unless otherwise noted.

Subpart A—General

§ 1956.1 Purpose and scope.

(a) This part sets forth procedures and requirements for approval, continued evaluation, and operation of State plans submitted under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter called the Act) for the development and enforcement of State standards applicable to State and local government employees in States without approved private employee plans. Although section 2(b) of the Act sets forth the policy of assuring every working man and woman safe and healthful working conditions, State and local government agencies are excluded from the definition of "employer" in section 3(5). Only under section 18 of the Act are such public employees ensured protection under the provisions of an approved State plan. Where no such plan is in effect with regard to private employees, State and local government employees have not heretofore been assured any protections under the Act. Section